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November 21, 1997

Office of the Secretary of the FCC
Ms. Magalie Roman Salas, Secretary
FEDERAL COMMUNICATIONS COMMISSION
1919 M Street N.W., Room 222
Washington, D.C. 20554

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In re: WT Docket 97-82
PETITION FOR RECONSIDERATION — Broadband PCS C and F Block Restructuring

Dear Secretary Salas:

One Stop Wireless of America, Inc. is a reseller of wireless products in multiple markets across the United States. We entered into a PCS resale agreement in the C-Block because we know true competition that allows resellers to compete for market share against incumbent carriers requires companies like those of the C and F Blocks to be successful in pioneering development of infrastructure and network services to provide broader and deeper product choices for consumers at large; a move toward open market systems which the Federal Government correctly engineered for entrepreneurial providers.

Our Company previously petitioned the Commission under past Chairman Hundt's tenure because we believe it is critical to have a viable, healthy C-Block if facilities based competition is ever to be realized. Our five year business plan materially focused on reselling PCS services as a C-Block reseller. The problems currently faced by the C-Block respective to restructuring of their debt trickles down to every market-driven reseller that is relying on the C-Block's success to grow themselves in a true open market environment. Our own experience in struggling to develop a customer-driven company that provides true choices to consumers causes us great disappointment when we realize that the Commission didn't consider the comments made by our principal voice within the Administration, the Small Business Administration. We are one of the small business vendors and marketing firms across the country who have not had the opportunity to initialize work with C-Block licensees.

We were, of course, pleased that the Commission ruled on November 8, 1997 to allow 4 options for Installment Payment Financing for C-Block Licensees. However, I say to you with the empathy of a person who has the greatest respect for the challenge faced by the FCC in this matter, the four options offered by the FCC do not work for C-Block Licensees and it does not work for the future development of open competition in telecommunications which is at the heart of the Government's objective. The A and B Blocks continue to get stronger and to consolidate their market position every single day that the FCC continues to walk a middle ground hinting at a viable solution without confronting the powerful lobbying efforts of the A and B Block providers. This is a time for true courage by Regulators at the FCC if you are to remain true to the mission plan of the Telecommunications Act of 1996. I am petitioning the Commission to consider this letter in that light.

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Today, the three largest incumbents own licenses covering nearly **HALF** of the available wireless POP's in the U.S. Such a stranglehold on the market removes the incumbent's incentive to lower prices or introduce new, innovative services. As a reseller that currently functions at the discretion of A and B Block incumbents, our Company sees all of the "look-alike products" being pitched to consumers right now that are geared solely to maintain confusion among consumers and to prevent loss of market share to PCS carriers that finally offer real options and value-added services to consumers. We're in the marketing warfare trenches sir, and we absolutely agree with Wall Street analysts who have declared the C-Block Restructuring order a major win for such incumbents because it will delay the entry of new facilities-based competitors.

We respect the need for auction integrity, however, PCS is an evolving process that has to be looked at through a big window. Rules need to be adjusted to respect the industry change pioneered for consumers by the Government. Entrepreneurial ventures need nurturing and they need patience. New businesses evolve over the period of five, ten, even fifteen years. The "rules," sir, need to be responsive to the special growth needs of entrepreneurial companies who only have great pioneering vision and true belief in the integrity of their product as tools to compete against fat incumbents who stand for anything but competition to better serve consumers.

A number of commercially reasonable alternatives have received overwhelming, bipartisan support from Congress, yet were largely ignored due to political in-fighting by the past Commissioners. The new Commission has the opportunity to review the November 8th decision from a public policy perspective, without harmful distractions. Our Company shares the sentiments of U.S. Rep. Tom Billey who opined that *'the Commission did not exercise the flexibility available to it under its existing rules, which could have enabled new entrepreneurial companies to aggressively build out competitive networks, while still ensuring that taxpayers receive the highest percentage of sums bid in the C-Block auction. I am particularly concerned that the Commission has not appreciated the will of Congress....'*

Congressman Markey said on September 25th that he 'remain[ed] concerned that large scale defaults may still occur as a result of today's FCC decision.... Such an outcome could clearly undermine the central goal of telecommunications policy in this area, which is to provide competitive alternatives and lower prices in the marketplace for consumers as rapidly as possible.' Congressman Billy Tauzin, on September 25th, expressed his sincere belief that the bipartisan compromise offered by himself and Congressman Markey could have provided the framework for a settlement that not only protected the government's financial interest, but also presented the affected companies with a variety of options to avoid bankruptcy. We absolutely support Congressman Tauzin's efforts to develop a comprehensive spectrum management plan which better safeguards this valuable national asset and we share Congressman Markey's sentiment that it's necessary for the FCC to revisit this issue.

We ask the FCC to please reconsider the Commission's ruling to (i) allow licensees to utilize their full down payment in the Disaggregation and Prepayment options; and (ii) adjust the Prepayment option to reflect the net present value of forgoing installment payments. Additionally, we ask the Commission to consider again the recommendation by the SBA Office of Advocacy to allow for short-term deferral in the submission of installment payments in combination with an extension of the five-year construction deadline or alternatively,

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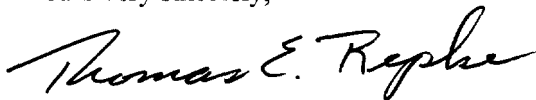
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a long-term deferral with no change in the construction deadline. We support the Office of Advocacy's position that the Commission should consider the following principles in restructuring C-Block debt: First, the promotion of competition and bringing rapid new services to the public should be paramount over raising revenue or preserving auction payments to the U.S. Treasury. Second, the preservation of small business involvement is essential to fulfilling the promises of the Telecommunications Act of 1996 that there will be effective competition, innovative new services and products to consumers, universal service to niche and under-served markets, and the creation of new jobs. Finally, the characteristics of small telecommunications businesses are unique. Therefore, the impact of small regulatory changes and marketplace obstacles faced by small business can result in a significant economic impact which will ultimately determine a small businesses' success.

We appreciate the difficulty of the Commission's task in resolving the complex issues and balancing the widely divergent interests of the parties. We hope, though, that your task may be made easier when you reflect on the many, many great successes of small businesses for the overall good of our society when those businesses have been allowed the opportunity to compete on an equal footing to monolithic companies. Today, you only have to look as far as Justice's interceding with Microsoft to allow the true innovations to technology being brought to the public by the much smaller Java and Lotus organizations. Trust in the innovation and integrity of small business to succeed for the public good and, I promise you, you'll make the correct decision every time.

Yours very sincerely,



Thomas E. Repke

President

ONE STOP WIRELESS OF AMERICA, INC.

cc: See list of copied parties attached hereto